

MEETING MINUTES (FINAL)

CITY OF TUCSON HABITAT CONSERVATION PLAN Technical Advisory Committee Wednesday, September 19, 2007, 1:00 – 3:00 p.m. Arizona Game and Fish Department Tucson, Arizona

ATTENDEES

City of Tucson (COT) Habitat Conservation Plan (HCP) Technical Advisory Committee (TAC) members present:

Dennis Abbate (Arizona Game and Fish Department)
Mima Falk (U.S. Fish & Wildlife Service)
Rich Glinski (Arizona Game and Fish Department – *retired*)
Trevor Hare (Coalition for Sonoran Desert Protection)
Ralph Marra (Tucson Water)
Guy McPherson (University of Arizona School of Natural Resources)
Linwood Smith (Environmental Planning Group, Inc.)

Other Attendees present:

Jamie Brown (City of Tucson – Office of Conservation and Sustainable Development)
Leslie Liberti (City of Tucson – Office of Conservation and Sustainable Development)
Ries Lindley (Tucson Water)
Scott Richardson (U.S. Fish and Wildlife Service)

1. Minutes

The City of Tucson's (COT) Habitat Conservation Plan (HCP) Technical Advisory Committee (TAC) approved the 9/5/07 meeting minutes that included edits and comments from Ralph and Dennis.

2. Updates

Leslie began the updates by stating that COT's Office of Conservation and Sustainable Development (OCSD) is preparing to issue another Request for Proposal (RFP) for assistance with the Habitat Conservation Planning process. The environmental consulting firm, SWCA, had worked with OCSD until May 2007 when their contract expired. For this RFP process, OCSD is requesting the TAC's input on qualified consultants who can work not only on the HCP, but also the Environmental Impact Statement (EIS) and necessary flora and fauna survey efforts. Through the process, the RFP is posted, applications from consultants are submitted, interviews take place, etc. By going through the process, this ensures that prospective consultants have met the necessary requirements so that, if asked to help on components of the HCP, the vetting has already occurred. Groups and individuals mentioned include: SWCA, Harris Environmental, RECON, the University of Arizona Plant Materials Center, Travis Bean, Courtney Conway, Phil Rosen, Taylor Edwards, and Mark Baker. When asked about consultants to work on desert tortoise related tasks, Linwood suggested Erik Stitt and Trevor suggested Dave Prevall.

Leslie noted that Rich had asked to move the October 17 meeting to Oct. 3 to avoid a schedule conflict. For the re-scheduled Oct. 3 meeting, the TAC changed the time from the regularly scheduled 1:00 to 4:00 p.m. slot to 2:00 to 5:00 p.m. to avoid another schedule conflict.

With regard to the agenda items for the October 3 meeting, the COT expert on the Native Plant Preservation Ordinance (NPPO), Joe Linville of the Development Services Department, will attend the meeting to talk about how the NPPO and HCP do or do not overlap in terms of plant protection, especially concerning the Pima pineapple cactus (PPC). *[Action item: OCSD will mail the NPPO electronically again to the TAC]*. The second item on the agenda will be Julia Fonseca of the Pima County Regional Flood Control District (PCRFCDD) to talk about Cienega Creek and the Southlands HCP Planning Sub-area. The final agenda item for October 3 will be a discussion of the desert tortoise. Leslie asked the group if there is someone, in addition to Julia, whom the TAC can involve in the discussions. Trevor mentioned Cathy Crawford as she has been involved with desert tortoise issues through AGFD. Dennis mentioned that Cristina Jones is the AGFD coordinator for the Desert Tortoise Working Group and suggested that she come to a meeting. *[Action Item: Dennis will share Cristina's Jones' contact information with Leslie]*.

Leslie then said that for the November TAC meeting, the group will discuss roads in the context of the Pima Association of Government's updated Southeast Arterial Plan, road alignments, etc. This will be in addition to a big picture discussion of what issues or problems the TAC might encounter given what protection strategies the TAC is creating related to these transportation issues. In addition, this discussion will help inform what information gaps there might be and what wildlife linkages the Regional Transportation Authority (RTA) is considering. That is, we intend to discuss what's planned for roadways in the Southlands and what we can learn about wildlife movement as a way to inform the location(s) and design of wildlife sensitive crossings. Leslie mentioned that Michael Ingraldi of AGFD is a good resource for this type of discussion and asked the group for additional suggestions of people to include. Trevor suggested that the TAC involve COT Transportation Director, Jim Glock. Leslie asked specifically about biologists and Trevor mentioned Norris Dodd, who has researched elk crossings in Arizona. Trevor also suggested Paul Beyer. Leslie asked if there are any suggestions of people to ask from the University of Arizona. Trevor mentioned that Phil Rosen has studied the impacts of roads on snakes. He also said that the TAC should involve an engineer because whatever ideas the group conceives need to conform to transportation engineering guidelines.

As a point of clarification for the November meeting, Ralph asked about the date, time, and location. Leslie responded that it will take place on November 7 from 1:00 to 4:00 p.m. at the U.S. Fish and Wildlife Service's Tucson office.

Leslie asked if the TAC had any other updates to share and Trevor reported that Defenders of Wildlife has just published a book on road crossings. *[Action Item: Trevor will send a link to information on the Defenders of Wildlife road crossings book to the TAC]*. Leslie noted that discussions on the impacts of roads by the TAC will not only benefit the HCP process, but will also inform how the OCSD interacts with the RTA subcommittee on the issue.

3. Southlands – Summary of Recommendations

Leslie began the discussion by distributing a four page, draft summary of conservation recommendations for the Southlands Planning HCP Sub-area (hereinafter “Southlands”) previously discussed at TAC meetings. From the minutes of previous meetings, she noted five categories of conservation strategies including, set asides, corridors, wash protections, upland protections, and mitigation banks. She noted that the TAC has also previously discussed airport paddles, detention basins, parks, refugia, Cienega Creek, and other topics. As described in the handout, Leslie mentioned that with set asides, the TAC discussed doing something similar to what Pima County uses in which different areas of land have different requirements based on the type of planned development. That is, a gross scale is established for set asides and specific guidance for specific parcels. She also noted that large parts of Pima County’s Conservation Land System (CLS) do not cover the Southlands, which is important for the TAC to consider.

Looking at the expanded COT planning area, the important corridor is the “L shape” in the south and east Southlands that hooks up north toward Saguaro National Park East. Leslie noted that this started the TAC’s discussion of what is higher versus lower quality habitat and reminded the group that they talked about having different development densities assigned versus percentages of development allowed. She noted that the TAC looked at three zones for set aside percentages including those areas outside the CLS, areas inside the CLS (divided into north and south zones) and the Cienega Creek drainage. She noted that the amount of riparian habitat in the three zones includes 4,070 acres (16% of the area) for the CLS North, 7,681 acres (17.2% of the area for the CLS South), and 9,888 acres (21.5% of the area) for the lands outside the CLS. She then talked about the idea of applying existing ordinances such as the NPPO and watercourse protection ordinances as protection for lands outside the CLS.

Mima asked if, for the lands inside the CLS, the TAC would want Pima County protection ordinances to apply or if the TAC wants to develop its own criteria for set aside protection. Leslie responded by saying that the TAC has not gotten specific, although the group has developed a scale of percent set aside ranging from 40 – 80 percent as one moves from the north to the west, with 30% open space designated as part of the Houghton Area Master Plan (HAMP). Moreover, these would be large piece of common area (as opposed to small, individual areas) and would be natural open space. Mima stated that, from a cactus perspective, one will not achieve good conservation with small amounts of open space protection. Trevor noted that 40% set aside is not too onerous for growth areas, and, if that doesn’t include washes or parks, that’s a good amount. Leslie noted that, to put Trevor’s suggestion into perspective, much of the urban core does not even have 10% of its lands set aside. Trevor replied saying that 9% set aside concerned him because one wouldn’t get any conservation except in conservation banks. Leslie noted that with HAMP, buffers will be designated around washes. Trevor added that the HCP needs a system of washes that have upland between them and asked Leslie if that is that what she meant. Leslie replied by saying that a wash with a buffer on either side might include upland.

Mima noted that staff from the Arizona State Land Department (ASLD) have expressed interest in funds from the Cooperative Endangered Species Conservation Fund as authorized under Section 6 of the Endangered Species Act (ESA). Thus, Mima asked what would be the possibilities of having a fairly large piece of land in the Southlands set aside for cactus conversation, with financial proceeds going to ASLD to fund such a set aside. Leslie noted that

we need to have a development bank within the city limits and then posed questions of how we locate this and what the role of COT is with regard to Pima County. Mima said that she would feel more comfortable with a large area where nothing is going to happen inside a development bank and inside a development area. Leslie added that this sounded like the idea of creating an ASLD mitigation bank, with an income stream coming from developers purchasing mitigation credits. And, ASLD is interested in getting funds to set up a mitigation bank. Leslie suggested that a meeting between ASLD, FWS, Pima County, and OCSD would be beneficial. Leslie then asked Mima if, during her conversation with staff from the ASLD, if there was any reference to density transfers. Mima said no and Trevor added that this is important so that development densities do not preclude genetic flow. Leslie said that designating a large mitigation bank would come at the expense of smaller set asides within development. Trevor clarified Leslie's point by asking her if, given the current situation, the TAC is looking at no dedicated open space for cactus and so the TAC needs to be willing to give up something like higher mitigation ratios.

Trevor then asked what the conceptual design for the Southlands is. Leslie said that the COT has completed it but that she has not seen it and the commission will review it next month. Rich asked if ASLD incorporates HCP planning and species needs into determining lands to be sold. Leslie said that a good next step is to have the conversation between FWS, ASLD, Pima County, and OCSD about the value of these lands as habitat. Trevor noted that he has always been concerned that the TAC does not have the option to protect a large area of land for cactus and that the focus of the TAC has been to protect washes. He said that the COT also needs to protect some upland for cactus. Mima added that there is a good opportunity to protect a large area of habitat adjacent to the Santa Rita Experimental Range. Leslie said that this idea feeds into the concept of compacting growth to the north and west part of the Southlands near the I-10 freeway and protecting as much as possible in the southern part of the Southlands, adding that the backwards "L-shape" is important. Leslie noted that ASLD probably will not dispose of the land in the Southlands for many years (10+) given the lack of infrastructure. Rich noted that in the Phoenix area, development has simply "jumped over" State Trust lands. Leslie asked Mima if the Pima pineapple cactus (PPC) occupies the same areas as saguaros because the COT now has an accurate map of individual saguaro locations in the Southlands. Leslie advised the TAC to proceed with the assumption that the little details of protection will come together if we focus on the large questions of set asides and use existing ordinances for protection. Mima said that she would need to see a map of the areas inside the CLS North and South and added a caution that if the TAC uses Pima County's CLS for protection, the group also need to use the same set aside criteria as the CLS. Leslie said that this would be similar to CLS type set-asides and added the option that if an area is biologically valuable, to recommend that it doesn't make sense for COT to annex the land since it is within the CLS.

Leslie mentioned that the upper right portion of the backwards "L-shape" includes parts of Cienega Creek and Davidson Canyon, which are the two major crossings. Trevor noted that he thought the backwards "L-shape" does a good job of protecting the needle-spined pineapple cactus. Leslie asked Mima if she knew of anyone or any circumstance in which COT has used the Native Plant Preservation Ordinance (NPPO) to protect PPC. Mima did not recall any but noted that, in her opinion, Pima County's NPPO does little to protect PPC [*Action Item: Leslie will send a copy of the COT NPPO to Mima*]. Trevor asked Mima if she could write a critique of

Pima County's NPPO to improve cactus protection per the goals of the Sonoran Desert Conservation Plan (SDCP).

Leslie concluded by saying that we need to get the big questions (i.e. how to structure set asides) answered before dealing with finer details such as refugia and added that the role of ASLD is a big question. *[Action Item: Mima will contact ASLD to coordinate discussion between FWS, ASLD, Pima County, and OCSD.]* Trevor noted that to make up for the lack of State Trust lands given away freely for conservation, the Arizona State Legislature might change the rules of the ASLD to include lands donated for conservation. He added that he heard that this effort might be expedited.

4. Topics at upcoming meeting

With regard to upcoming meetings, Leslie reported that the TAC will conclude discussions of the Southlands in November and will try to have strategy sessions in smaller groups about mitigation and what that would look like specifically. Trevor noted that the TAC has meetings scheduled for December 5 and January 16. Leslie would like the TAC to focus on the Avra Valley HCP discussion during the first part of next year to finish that piece. Trevor asked if the TAC needs to consider the necessary components of the HCP in terms of the chapters and ensure that the TAC has covered everything it needs to. Leslie noted that chapters five and six are the only chapters really changing much at this point and that, with regard to possible Tucson Water projects already discussed, timing is still uncertain. Ralph noted that it may not just be timing that is uncertain indicating that just six months ago, no one was even thinking about the possibility of solar power arrays being located on the City's Avra Valley lands. Solar arrays have since been added to the list of possible projects. New land use ideas will continue to arise over time and Tucson Water does not know potential new uses, which might change acreage and location of use. Trevor added that he thinks the TAC needs to address the Changed and Unforeseen Circumstances chapter. Leslie then countered that getting chapters five and six of the HCP written is probably more of a priority at this point in the process.

Trevor noted that the TAC may need to add the Tumamoc globeberry in the HCP for Avra Valley as it may be re-listed by the U.S. Fish and Wildlife Service. Mima added that, in the plains of Sonora, Mexico, the species is being overrun by buffelgrass.

5. Call to audience

No members of the public were in attendance.

6. Adjournment

Leslie adjourned the meeting at 3:00 p.m.

Summary of Action Items:

- OCSD will mail the NPPO electronically again to the TAC;
- Dennis will share Cristina's Jones' contact information with Leslie;

- Trevor will send a link to information on the Defenders of Wildlife road crossings book to the TAC;
- Leslie will send a copy of the COT NPPO to Mima, and;
- Mima will contact ASLD to coordinate discussion between FWS, ASLD, Pima County, and OCSD.